

# Bereskin & Parr

INTELLECTUAL PROPERTY LAW

January 24, 2007

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Our Reference: 9351-287

## NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-3513

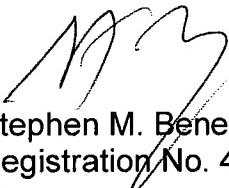
Dear Sir:

**Re: United States Patent Application No. 10/722,570**  
**Filed: November 28, 2003**  
**Title: METHOD OF OPERATING A FUEL CELL POWER SYSTEM**  
**TO DELIVER CONSTANT POWER**  
**Applicant: Todd A. Simpson et al.**

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Applicant hereby appeals to the Board of Appeals from the decision dated July 25, 2006 of the Examiner finally rejecting claims 1 and 3-31. A Notice of Appeal and Petition for a Three-Month Extension of Time are attached.

Respectfully submitted,

  
Stephen M. Beney  
Registration No. 41,563  
/lt  
Encl.